

[Counsel identified on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EOLAS TECHNOLOGIES
INCORPORATED,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

Case No. 4:17-cv-03022-JST

Related to Case Nos. 4:17-cv-01138-JST,
4:17-cv-03023-JST, and 4:15-cv-05446-JST

**JOINT STIPULATION TO CONTINUE
FURTHER CASE MANAGEMENT
CONFERENCE AND JOINT CASE
MANAGEMENT STATEMENT**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Amazon.com, Inc. (“Amazon”), Google LLC
2 (“Google”), Walmart Inc. (“Walmart”), and Eolas Technologies Inc. (“Eolas”) hereby file a stip-
3 ulated request to continue the currently scheduled January 19, 2021 further Case Management
4 Conference to March 2, 2021, and the January 12, 2021 Joint Case Management Statement due
5 date to February 23, 2021.

6 WHEREAS, on February 27, 2020, the Court entered an order setting the hearing on
7 summary judgment motions and hearing on Defendants’ limited reconsideration of claim con-
8 struction for July 2, 2020, with a Joint Case Management Statement due July 30, 2020 for a fur-
9 ther Case Management Conference on August 6, 2020. (Dkt. 576).

10 WHEREAS, the Court entered the parties’ stipulation for a case schedule with the Ex-
11 pected Decision on Early Summary Judgment set for July 27, 2020, in advance of the Joint Case
12 Management Statement and further Case Management Conference. (Dkt. 583).

13 WHEREAS, the Court entered the parties’ stipulation to extend briefing deadlines on ear-
14 ly summary judgment and claim construction reconsideration, and continued the hearing date to
15 July 16, 2020. (Dkt. 597).

16 WHEREAS, the Court continued the hearing date on early summary judgment and claim
17 construction reconsideration to August 6, 2020. (Dkt. 627).

18 WHEREAS, the Court denied Defendants’ motion for claim construction reconsideration
19 on July 20, 2020. (Dkt. 628).

20 WHEREAS, the Court entered the parties’ stipulation to change the date of the further
21 Case Management Conference to September 10, 2020, and Joint Case Management Statement
22 due date to September 3, 2020, to allow the Court time to potentially rule on the early summary
23 judgment motion prior to the further Case Management Conference and for the parties to provide
24 suggested revisions to the remainder of the existing schedule. (Dkt. 630).

25 WHEREAS, the Court granted the parties’ stipulation to vacate the remaining dates in the
26 Court’s March 10, 2020 scheduling order (Dkt. 583) and continue the September 3 Joint Case
27 Management Statement and September 10 further Case Management Conference, ordering an
28

1 updated Joint Case Management Statement due November 3, 2020 and setting the further Case
2 Management Conference for November 10, 2020. (Dkt. 638).

3 WHEREAS, the Court granted the parties' stipulation to continue the November 3 Joint
4 Case Management Statement and November 10 further Case Management Conference, ordering
5 an updated Joint Case Management Statement due December 1, 2020 and setting the further
6 Case Management Conference for December 8, 2020. (Dkt. 646).

7 WHEREAS, the Court granted the parties' stipulation to continue the December 1 Joint
8 Case Management Statement and December 8 further Case Management Conference, ordering
9 an updated Joint Case Management Statement due January 12, 2021 and setting the further Case
10 Management Conference for January 19, 2021. (Dkt. 648).

11 WHEREAS, the Court granted the parties' stipulation to continue the January 12 Joint
12 Case Management Statement and January 19 further Case Management Conference, ordering an
13 updated Joint Case Management Statement due February 23, 2021 and setting the further Case
14 Management Conference for March 2, 2021. (Dkt. 650).

15 WHEREAS, the parties have met and conferred regarding the upcoming schedule and
16 agree and hereby stipulate to continue the due date for the Joint Case Management Statement to
17 April 6, 2021 and the further Case Management Conference to April 13, 2021, to allow the Court
18 time to potentially rule on the pending early summary judgment motion.

19 NOW THEREFORE IT IS HEREBY STIPULATED AND THE PARTIES JOINTLY
20 REQUEST that the Court continue the further Case Management Conference to April 13, 2021
21 and the Joint Case Management Statement due date to April 6, 2021.

22
23 DATED: February 15, 2021 Respectfully submitted,

24
25 By /s/ David A. Perlson

26 QUINN EMANUEL URQUHART & SULLIVAN, LLP
27 Charles K. Verhoeven (CA Bar No. 170151)
28 David A. Perlson (CA Bar No. 209502)
Carl G. Anderson (CA Bar No. 239927)
Michael D. Powell (CA Bar No. 202850)
Lindsay M. Cooper (CA Bar No. 287125)

1 Felipe Corredor (CA Bar No. 295692)
2 ge-eolas@quinnemanuel.com
3 50 California Street, 22nd Floor
4 San Francisco, CA 94111
5 Telephone: 415-875-6600
6 Facsimile: 415-875-6700

Attorneys for Defendant
GOOGLE LLC

By /s/ Richard G. Frenkel

7 DOUGLAS E. LUMISH, Bar No. 183863
8 doug.lumish@lw.com
9 RICHARD G. FRENKEL, Bar No. 204133
10 rick.frenkel@lw.com
11 JEFFREY G. HOMRIG, Bar No. 215890
12 jeff.homrig@lw.com
13 140 Scott Drive
14 Menlo Park, CA 94025
15 Telephone: (650) 328-4600
16 Facsimile: (650) 463-2600

17 JOSEPH H. LEE, Bar No. 248046
18 joseph.lee@lw.com
19 LATHAM & WATKINS LLP
20 650 Town Center Drive, 20th Floor
21 Costa Mesa, CA 92626-1925
22 Telephone: (714) 540-1235
23 Facsimile: (714) 755-8290

24 AMIT MAKKER, Bar No. 280747
25 amit.makker@lw.com
26 BLAKE R. DAVIS, Bar No. 294360
27 blake.davis@lw.com
28 LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111-6538
Telephone: (415) 395-8034
Facsimile: (415) 395-8095

MELISSA ARBUS SHERRY (admitted pro hac vice)
melissa.sherry@lw.com
CHARLES S. DAMERON (admitted pro hac vice)
charles.dameron@lw.com
LATHAM & WATKINS LLP
555 Eleventh Street, Suite 1000
Washington, DC 20004-1304
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

JENNIFER H. DOAN (*pro hac vice*)
jdoan@haltomdoan.com
JOSHUA R. THANE (*pro hac vice*)
jthane@haltomdoan.com

1 J. RANDY ROESER (*pro hac vice*)
2 rroeser@haltomdoan.com
3 HALTOM & DOAN
4 6500 Summerhill Road, Suite 1000
5 Texarkana, TX 75503
6 Telephone: (903) 255-1000
7 Facsimile: (903) 255-0800

8 GRANT KINSEL, Bar No. 172407
9 gkinsel@perkinscoie.com
10 PERKINS COIE, LLP
11 1203 3rd Street, 39th Floor
12 Seattle, WA 98112
13 Telephone: (206)-395-316
14 Facsimile: (206) 359-9000

15 *Counsel for Defendant*
16 *AMAZON.COM, INC*

17 By /s/ Eric E. Lancaster

18 Bijal V. Vakil (SBN 192878)
19 Shamita D. Etienne-Cummings (SBN 202090)
20 Eric E. Lancaster (SBN 244449)
21 Henry Huang (SBN 252832)
22 Ryuk Park (SBN 298744)
23 WHITE & CASE LLP
24 3000 El Camino Real Two Palo Alto Square, 9th Floor
25 Palo Alto, CA 94306
26 Telephone: (650) 213-0300
27 Facsimile: (650) 213-8158
28 Email: bvakil@whitecase.com
Email: setienne@whitecase.com
Email: eric.lancaster@whitecase.com
Email: henry.huang@whitecase.com
Email: ryuk.park@whitecase.com

John R. Keville (admitted *pro hac vice*)
Robert L. Green, III (admitted *pro hac vice*)
WINSTON & STRAWN LLP
1111 Louisiana Street, 25th Floor
Houston, TX 77002-5242
Telephone: (713) 651-2600
Facsimile: (713) 651-2700
Email: jkeville@winston.com
Email: rlgreen@winston.com

Counsel for Defendant
WALMART INC.

By /s/ James E. Quigley

John B. Campbell, TX SBN 24036314 (admitted *Pro Hac Vice*)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

James E. Quigley, TX SBN 24075810 (admitted *Pro Hac Vice*)
MCKOOL SMITH, P.C.
300 West 6th Street, Suite 1700
Austin, Texas 78701
Tel. (512) 692-8700; Fax: (512) 692-8744
jcampbell@mckoolsmith.com
jqigley@mckoolsmith.com

Attorneys for Plaintiff
Eolas Technologies Incorporated

ATTESTATION

I, David A. Perlson, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

DATED: February 15, 2021

/s/ David A. Perlson
David A. Perlson